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Summary record of the 23rd meeting
Held at Headquarters, New York, on Thursday, 6 November 2008, at 10 a.m.

Chairman: Mr. Argüello ..... (Argentina)

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The meeting was called to order at 10.10 a.m.

Agenda item 29: United Nations Relief and Works Agency for Palestine Refugees in the Near East (*continued*) (A/C.4/63/L.11-14)

Agenda item 30: Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (*continued*) (A/63/273, 482-484, A/C.4/63/L.15-L.19)

1. **Mr. Algahrah** (Saudi Arabia) said that decades of Israeli occupation had created an environment in which the living were no better off than the dead. In the absence of the rule of law, the Israeli military machine had become so mighty that it operated with impunity, causing unspeakable human suffering. Israel had violated international resolutions and ignored its obligations under the road map by accelerating the pace of settlement building. Those settlements now surrounded most Palestinian cities in the West Bank and controlled nearly half their sources of water, making it nearly impossible to establish a contiguous and viable Palestinian State.

2. The continued building of the racist separation wall was stark evidence of Israel's disregard for General Assembly resolution 181 (II) of 1948. Israel's claim that the wall was for its defence was simply an excuse to alter the geopolitical reality so as to consolidate its control over water resources, keep all settlements within Israel and ensure that East Jerusalem would remain under its control forever. Israel should comply with its obligations under Security Council resolution 1701 (2006) and compensate Lebanon for losses incurred as a result of its aggression. He condemned Israeli practices in the occupied Syrian Golan and called for the implementation of Security Council resolution 497 (1981), which had deemed that the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights was null and void and without international legal effect.

3. Saudi Arabia strongly condemned the excavations being carried out at the Al-Aqsa Mosque, which threatened to cause it to collapse, as well as all efforts to Judaize the city of Jerusalem and strip it of its Islamic identity. It also supported the recommendation of the Special Committee urging the Security Council to consider sanctions against Israel if it persisted in ignoring its international legal obligations.

4. **Ms. Etomzini** (Libyan Arab Jamahiriya) said that the report painted a dark picture not only of the suffering of the Palestinian people, but also of the ineffective global response to their plight. Her delegation was not surprised that the occupation authorities had prevented the Special Committee from visiting the Occupied Palestinian Territory. Such obstruction was part of Israel's ongoing efforts to hide the truth about the suffering the Palestinians endured under occupation. When the ugliness of its practices was exposed, Israel resorted to accusing the investigating bodies of bias and anti-Semitism.

5. It was incumbent on the community of nations to end its silence and fulfil its obligations to the Palestinian people. The United Nations also needed to change its approach to the question of Palestine and find a way to compel Israel to comply with international law. Her delegation therefore strongly supported the recommendations of the Special Committee, including the call for the Security Council to consider sanctions against Israel if it persisted in ignoring its international legal obligations. She also underscored the right of the Palestinian people to establish an independent State, with Al-Quds al-Sharif as its capital, and the right of the refugees to return.

6. **Mr. Weissbrod** (Israel) said that he was encouraged to hear that the Palestinian people and their leadership remained fully committed to the peace process. Israel shared that sentiment, convinced that a bilateral peace process was the only way for both sides to communicate mutual concerns and legitimate aspirations. Both would shortly be briefing the Quartet on the status of the negotiations launched at Annapolis one year previously. Those negotiations had proved the most substantial since 2000. The Committee, meanwhile, had been concerned with the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/63/273): hours and days of futile rhetoric that had no bearing whatsoever on the situation of the Palestinian population or the advancement of the peace process. The latter should reflect the aspirations and concerns of both parties, yet the report barely devoted two sentences to the well-being and security of Israeli civilians. Hardly any mention was made of the 1,150 Qassam rockets launched against Israeli schools,

shopping malls and clinics during the past year, or of more than 1,000 mortars fired at Israeli farmers cultivating their land in the Gaza Strip. Innocent civilians had been brutally injured and murdered by such indiscriminate attacks, which had continued for three years despite Israel's full withdrawal from Gaza. Nor did the report mention the brutal behaviour of Hamas towards its own as well as foreign journalists in Gaza.

7. Israel did not seek to conceal its human rights record. It was proud of its efforts to uphold United Nations principles and engage in constructive dialogue. A pluralistic society with an emphasis on self-reflection, Israel did not consider itself beyond criticism. Its press was neither monitored nor censored. As a democratic State, Israel was open to discussion of the human rights situation in the West Bank and Gaza Strip. In any given year, it came under the scrutiny of foreign government agencies such as the United States Department of State; the European Union; United Nations bodies; and reputable non-governmental organizations such as Amnesty International. Yet it was absurd that in the Fourth Committee, "bastions" of human rights and democracy, such as Sudan, North Korea, Iran and Syria, should lecture the open and free state of Israel. They should consider their own human rights records in places such as Hama, Tadmor, Maza and Evin prisons, or the gulags of North Korea.

8. Only the previous day, a tunnel had been discovered from the Gaza Strip into Israel, which Hamas had intended to use to abduct Israeli citizens. Despite such security concerns, Israel nonetheless sought the most effective balance between protecting the lives of Israelis and not disrupting the lives of Palestinian people. In 2008, it had introduced confidence-building measures to improve the economic and social well-being of the Palestinians, including the release of 200 Palestinian prisoners in August and the removal of 111 roadblocks and four central checkpoints in the West Bank. With the cooperation of the Palestinian Authority, a pilot project had been introduced in Jenin to reinforce Palestinian police control and promote Palestinian economic development. Israel had also facilitated the entry of Palestinian police forces into the area surrounding Hebron. In the first half of 2008, there had been a 66 per cent increase in the movement of goods in the West Bank. Israel had also increased the number of permits for Palestinians wishing to work in Israel. Along with donor countries, his Government was also working to develop Palestinian industrial parks. In the Gaza Strip, Israel had also facilitated the entry of humanitarian goods following the period of calm. In September, more than 2,000 trucks had entered Gaza carrying food, fuel and other supplies.

9. The work of the Special Committee, meanwhile, was utterly divorced from reality. The report (A/63/273) gave a biased and anachronistic picture of the situation in the region, acknowledging the rights of only one side. He called upon Israel's greatest critics to take constructive measures to support the Israeli and Palestinian peoples in their attempt to end their decades-long, bloody conflict; the work of the Special Committee did not contribute in that regard. Instead of engaging in futile rhetoric, certain countries would do better to help the Palestinian people by supporting the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) with more than mere words, creating confidence-building measures towards Israel, addressing the concerns of all sides and embracing both Israeli and Palestinian narratives rather than rejecting Israel's rightful place.

10. Member States should also consider whether there was any need for yet another body to rehash the work being done elsewhere, and whether the work of the Special Committee could be accepted when its outcome had already been dictated by its mandate. Israel, for its part, would do its utmost to advance the peace process.

11. **Mr. Butagira** (Uganda), taking note of the report of the Special Committee, called on Israel to take immediate action to facilitate the movement of Palestinian people and goods, as well as access into the Territories of international humanitarian organizations; remove outposts; reverse the settlement policy and activity; and end land confiscations.

12. Uganda wished to reiterate its solidarity with the Palestinian people. It fully supported direct negotiations between the leaders of Palestine and Israel and the establishment, through peaceful negotiations, of a sovereign, independent and viable State of Palestine, side by side with the State of Israel.

13. He called for renewed intensification of efforts by the international community, including the Quartet, to support the Annapolis peace negotiations between the two sides, and the full implementation of the road map

with a view to ending the occupation of the Palestinian Territory.

14. Uganda condemned all acts of terrorism. Violence and terror would not help in the quest for a just and lasting peace in the Middle East. That could only be achieved through negotiations between the parties, and the support of the international community.

15. **The Chairman** drew attention to draft resolutions A/C.4/63/L.11 to L.14 under agenda item 29 and to draft resolutions A/C.4/63/L.15 to L.19 under agenda item 30.

16. **Mr. Kleib** (Indonesia) introduced the draft resolutions under agenda item 29 (A/C.4/63/L.11 to L.14), which addressed the core issues regarding the Palestine refugees and the work of UNRWA in providing them with essential services under financial constraints and in harsh circumstances. The texts were much the same as those adopted at the previous session, with some changes to reflect recent developments. In draft resolution A/C.4/63/L.11 on assistance to Palestinian refugees, he drew particular attention to the new paragraphs 5 and 6. In draft resolution A/C.4/63/L.12 on persons displaced as a result of the June 1967 and subsequent hostilities, he highlighted paragraphs 1 to 2 and the calls for humanitarian assistance to displaced Palestinians in paragraphs 3 and 4. Draft resolution A/C.4/63/L.13 on the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East addressed the challenges the Agency faced in fulfilling its mandate, while draft resolution A/C.4/63/L.14 dealt with Palestine refugees' properties and their revenues.

17. The sponsors hoped that the draft resolutions would receive the broadest possible support, reflecting the international community's firm and continuing support for the important humanitarian work done by UNRWA.

18. **Ms. Hernández Toledano** (Cuba), after deploring the deteriorating situation in the occupied Arab territories and the violation of virtually all Palestinian human rights by the occupying Power, introduced the draft resolutions under agenda item 30 (A/C.4/63/L.15 to L.19).

19. In draft resolution A/C.4/63/L.15 on the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, she referred in particular to the last preambular paragraph and to paragraphs 2 and 3 and 8 (a) and (b). In draft resolution A/C.4/63/L.16 on the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, on 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories, she drew special attention to paragraphs 1 to 4. In draft resolution A/C.4/63/L.17 on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem and the occupied Syrian Golan, she drew attention to the second to fourth and twelfth to fifteenth preambular paragraphs and highlighted paragraphs 1, 4, 5 and 7 reaffirming the long-standing position of the United Nations on the illegal Israeli settlements in Arab lands as an obstacle to peace and development. In draft resolution A/C.4/63/L.18 on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, she underscored the applicable international legal provisions cited in the preamble, highlighting the seventeenth and nineteenth paragraphs detailing the systematic human rights violations by Israel and the deteriorating situation in the Gaza Strip, and referred particularly to paragraphs 1 to 3 and 9. She drew attention also to draft resolution A/C.4/63/L.19 on the occupied Syrian Golan.

20. In the light of the critical human rights situation created by the illegal Israeli practices and ongoing violations, she hoped that Member States would give broad support to those draft resolutions.

Rights of reply

21. **Mr. Taleb** (Syrian Arab Republic), noting that the representative of Israel had claimed that his Government was democratic, observed that democracy implied respect for the will of other peoples. Israel certainly had not respected the will of the Palestinian people when they had democratically elected their own government, but had instead unleashed unjustified violence against the defenceless population, imprisoned highly elected Palestinian officials and even assassinated Palestinian leaders. The Israeli representative's hollow statements did not change the fact that Israel regularly trampled on the human rights of the Arab populations in the Occupied Palestinian Territories, as minutely recorded in United Nations documents. The Special Rapporteur of the Human Rights Council on the situation of human rights in the

Occupied Palestinian Territories had described Israel's policies as akin to racism. The latest violations had been described by the United Nations Special Coordinator for the Middle East Peace Process, and there was a growing body of evidence that Zionist terrorism, unprecedented in history, was political, intellectual, racist, bloody and systematic.

22. **Ms. Abdelhady Nasser** (Observer for Palestine) recalled that the Special Committee had been established and the Fourth Committee assigned to consider the item because of the abiding responsibility of the international community to address the question of Palestine in all its aspects, including the critical human rights situation under occupation. What was being discussed in the Committee was not Israel's status as a free, open democracy but rather its status as an occupying Power and its illegal colonization and violation of human rights that were denying the Palestinian people their freedom as a nation. Israel's belittling of the Organization's efforts to address that issue were offensive: if at the United Nations one could not openly call for respect of human rights and international law, then where could that be done? The Palestinian people should surely not abandon their hope that the international community would uphold the Charter and play its rightful role to help them realize their right to self-determination and statehood after over six decades of suffering. Palestine's earlier statement to the Committee had accurately conveyed the disturbing and bitter reality of life under Israeli military occupation. If Israel refused to acknowledge its crimes and wrongdoings, it would never be able to change course and comply with international law, so that a new era of peace and reconciliation could finally begin. Israel could not simply talk of peace while at the same time committing such grave violations against the Palestinian people. That was illogical, irresponsible and unethical and stood in the way of any possible progress towards the Palestinian goal of achieving a final, just and lasting peace.

23. **Mr. Al-Bahi** (Sudan) observed that the Israeli delegation's reference to the human rights situation in his country was unwarranted, and surprising in the light of the deteriorating human rights situation in the Occupied Palestinian Territories under Israeli control, repeatedly confirmed in United Nations reports and by the international and regional press. At the previous meeting he had referred only to facts set out in the report of the Special Committee, which testified to the many ways in which Israel made a mockery of all principles of international law. Israel also showed complete disrespect for the authority of the United Nations when it prevented the Special Committee from entering the Occupied Arab Territories or UNRWA personnel from conducting their mandated activities there. Israel should reflect that people in glass houses should not throw stones, and should heed the call of reason.

24. **Mr. Yun** Yong Il (Democratic People's Republic of Korea) said that it was generally acknowledged that the Middle East issue had been created by Israel's occupation of Arab lands, and that since then the Palestinian people had been deprived of everything, including their basic rights. Israel's continuing policy of occupation, expansion of settlements, its killing of Palestinians on a daily basis and imprisonment of thousands, constituted a massive violation of human rights. Thus, its groundless accusation about the human rights situation in his country was politically motivated. Israel had no right to talk about other countries, but simply about how to respond to the just demands of the Palestinian and Arab peoples under its control.

25. **Mr. Hosseini** (Islamic Republic of Iran) said that the irresponsible, unfounded allegations of the Israeli representative served only as a smokescreen to divert attention from his own country's crimes and aggression in the last six decades against the Palestinian, Lebanese, Syrian and other peoples. He would do better to concentrate on the criminal acts of his own regime, which had brought tension and conflict to the region. It had been clearly shown in the Committee and other international forums that the Israeli regime had deliberately and systematically violated international law, numerous United Nations resolutions, and virtually all human rights principles. It had no respect for the standards according to which the world community functioned. As the chief source of terror and intimidation in the Middle East and the world at large, Israel was not in a position to level accusations against other countries. The international community must take decisive action to prevent further criminal acts in the Occupied Palestinian Territories. A regime that relied on aggression, State terrorism, assassination, torture and all kinds of abhorrent policies should not portray itself as an advocate of democracy and a warrior for human rights. Peace and security and respect for human rights would return to the Middle

East only with the end of the Israeli occupation and when the Palestinian people had exercised their right to establish an independent, sovereign State.

26. **Mr. Gebreel** (Libyan Arab Jamahiriya) said that the Israeli delegation's criticism of the work of the Committee was unjust and far from the truth. The fact that the Committee was powerless to translate its words into action stemmed from the general structure of the United Nations, which should be made more democratic and given the power to actually implement decisions in a way that applied to all countries without exception. Until that happened, the Committee must continue to send a clear message of support to the Palestinian people who were enduring Israeli occupation, and clearly reject Israeli practices. At the next meeting, the Committee would vote almost unanimously in favour of the draft resolutions under items 29 and 30, while Israel would be almost alone in voting against them.

The meeting rose at 11.30 a.m.